
DELAWARE ADMINISTRATIVE CODE

Drafting and Style Manual



March 2006 Edition

PREFACE

The Division of Research was created by the Delaware General Assembly to act as a reference bureau for information relating or pertaining to legislative matters and subjects of interest to the Senate and House of Representatives.

Among the services provided is the publication of regulations submitted by executive branch agencies to the **Registrar of Regulations**. This document enables interested citizens to find all of the regulations proposed by any state agency in one convenient location. The monthly ***Delaware Register of Regulations*** is available in hardcopy and can also be found on-line at:

<http://regulations.delaware.gov/>

The composition and style guidelines in this manual are intended to provide editorial assistance in drafting documents to be published in the monthly ***Delaware Register of Regulations*** and the ***Delaware Administrative Code***. These guidelines are not intended to be inflexible rules, nor are they complete in scope. The staff of the Registrar's office hopes that use of these suggestions, together with attention to proper English usage, will produce greater clarity and accuracy in the texts of official documents.

INTRODUCTION

Statutory Authority provides a condensed summary of administrative law and is commonly referred to as the ***Administrative Procedures Act***, located in Title 29, Chapter 101 of the Delaware Code. The key principle is that a state agency must have the legal authority to adopt a regulation.

Customary Language and Usage covers the basic style and format in which executive agency regulations traditionally appear in Delaware. Regulations should be uniform in style and language conventions and be drafted in a clear and concise manner, since they impose certain requirements or restrictions on individuals' rights. The guidelines contained herein are similar to those used by the Division of Research when drafting legislation.

Questions regarding regulatory drafting or this manual should be directed to the Registrar's Office by phone at 302-744-4327, by E-mail at Jeffrey.Hague@state.de.us or via the Internet at:

<http://regulations.delaware.gov/>

1.0 Statutory Authority**1.1 General Information**

Generally, the principle of separation of powers states that under our federal and state constitutions, the legislative branch, enacts laws while the executive branch carries out the laws. In accordance with this principle, an administrative agency does not have authority to enact law. The Delaware Code contains the following broad delegation of rulemaking power to Delaware executive agencies:

“The General Assembly has conferred on Boards, Commissions, Departments and other agencies of the Executive Branch of State Government the authority to adopt regulations...” (29 **Del.C.** §1131).

Pursuant to this provision, the Delaware General Assembly enacts laws that direct a specific state agency to adopt regulations that include details of, implementing, executing, embellishing upon, or clarifying a specific statutory scheme. If an agency adopts a regulation that falls outside of the rulemaking powers delegated by statute to that agency, then the regulation does not fall within statutory authority and is theoretically deemed invalid.

1.2 Citing the Proper Statute as Authority for Adopting Regulations

Agencies should not, in general, cite any of the provisions in chapter 101 of Title 29 of the Delaware Code as statutory authority. Although this chapter contains the provisions governing the rulemaking process all agencies must follow, agencies should refer to the language in the statutes that detail the adoption of regulations into their particular agency.

1.3 Failure to Implement the Law as Directed by Statutory Authority

Repeating existing statutory information should be avoided when drafting regulations. Redundant text is unnecessary because a statute may be amended, thereby requiring an amendment to the regulation. Instead, regulations should reflect what is set forth in a statutory scheme. For example, suppose a statute states:

“Any other provision of this chapter notwithstanding, the Court or the Department in making a determination as to what damages shall be paid by the Department shall consider only 2 factors...”

Any corresponding regulations should actually list those factors the department feels necessary for a person to comply with in order to be granted a license. To only state in the regulations that the Department shall only consider “2 factors” is insufficient information.

1.4 Exceeding Statutory Authority

When drafting regulations, each agency must scrutinize the authorizing statute to determine the extent to which the General Assembly has assigned rulemaking authority.

Similarly, a statute that authorizes regulations to govern the issuance of a building permit does not, on its own, authorize the regulations to provide for the suspension, renewal or revocation of such permit.

In addition, regardless of whether the authorizing statute is general or confining, certain types of provisions - such as penalties, the right to appeal to the courts etc. - require specific statutory authority.

1.5 Regulation Validity

In order for a regulation to be valid, an agency must comply with the rulemaking process set forth in the Delaware Code. Title 29, Chapter 101, §10102 (7) defines a regulation as follows:

(7) “**Regulation**” means any statement of law, procedure, policy, right, requirement or prohibition formulated and promulgated by an agency as a rule or standard, or as a guide for the decision of cases thereafter by it or by any other agency, authority or court. Such statements do not include locally operative highway signs or markers, or an agency's explanation of or reasons for its decision of a case, advisory ruling or opinion given upon a hypothetical or other stated fact situation or terms of an injunctive order or license.”

According to the definition, if an agency drafts any directive that includes law, procedure, policy, right, requirement or prohibition formulated and promulgated by an agency as a rule or standard, or as a guide for the decision of cases thereafter by it or by any other agency, authority or court, that statement is considered a regulation.

1.6 Conclusion:

- Avoid redundancy or paraphrasing the provisions of the Delaware Code in a regulation. Make sure the regulations actually implement the program or statutory outline.
- All directives affecting individuals regardless of the terminology the agency uses, should be adopted as regulations pursuant to the rulemaking process set forth in Title 29, chapter 101.

2.0 Standard Document Format

2.1 Submission Guidelines:

2.1.1 Documents must be submitted to the Registrar's office no later than the 15th of the month for publication on the first of the following month issue of the Register.

2.1.2 Documents should be submitted to the Registrar in electronic format.

2.1.3 Proposed Regulations filed electronically should include:

2.1.3.1 Text of the proposed regulation formatted to the specifications of the Registrar as outlined in section 2.1.3.

2.1.3.2 Notice of Public Hearing and/or Notice of Public Comment Period, including agency contact information and the method of submitting comments.

2.1.3.3 A summary of the regulatory action when available.

2.1.3.4 The entire text of a regulation should be submitted if the regulation has not been through the APA process.

2.1.4 Final Regulations filed electronically should include:

2.1.4.1 Order adopting the Final Regulation.

2.1.4.2 A summary of the regulatory action when available.

2.1.4.3 Text of the Final Regulation formatted to the specifications of the Registrar as outlined in section 2.1.3.

2.1.4.4 A non-marked up version of the regulation as amended.

2.1.4.5 Any other supporting documents such as a Hearing Officers report, etc. as deemed appropriate by the submitting agency.

2.1.4.6 The entire text of a regulation should be submitted where possible.

2.2 Header (See Figure 2.1)

2.2.1 The beginning page of each document submitted should contain an identifying heading including:

2.2.2 The complete name of the promulgating agency including division and subdivision if applicable, typed in the upper left corner of each page, flush with the left margin; and

2.2.3 The Delaware Administrative Code citation, if assigned.

2.2.4 The statutory authority to promulgate the regulation, flush with the left margin.

Figure 2.1
Header Example

Agency Name

Division Name

Subdivision Name

Delaware Administrative Code citation (if assigned)

Statutory Authority: Title Delaware Code, Section (Title Del.C. Section)

2.3 Numbering

2.3.1 Regulatory text should be numbered with numerals only.

2.3.2 Start out with a 1.0 as the first section and number down tabbing in one level for additional subsection. See Figure 2.2 for an example.

Figure 2.2
Numbering a regulation

Example:

3.0 Use of Designations

3.1 Designation "Certified Public Accountant" and the Abbreviation "CPA" in the Practice of Certified or Public Accountancy:

3.1.1 Only the following individuals and entities may use the designation "certified public accountant", the abbreviation "CPA", and other designations which suggest that the user is a certified public accountant, in the practice of certified or public accountancy:

3.1.1.1 An individual who is registered with the Board and holds a certificate of certified public accountant and a current permit to practice.

3.1.1.2 A sole proprietorship, partnership, corporation, or any other entity authorized under Delaware law or a similar statute of another state which is registered with the Board and holds a current firm permit to practice.

3.2 Designation "Certified Public Accountant" and the abbreviation "CPA" by certificate holders who do not maintain a permit to practice:

3.2.1 An individual who holds a certificate of certified public accountant but does not maintain a permit to practice may use the designation “certified public accountant” or the abbreviation “CPA” on business cards and stationery if:

3.2.1.1 The certificate of certified public accountant has not been suspended or revoked and is in good standing.

3.2.1.2 The individual does not engage in the practice of certified or public accountancy and does not offer to perform certified or public accountancy services.

2.4 Body of text.

2.4.1 All documents should be typed in conventional uppercase and lowercase format.

2.4.2 Documents should be typed in ***Arial*** font face and **12 point** font size. Automatic numbering and bullets function of the software should not be used.

2.4.3 Proposed Regulations:

2.4.3.1 Proposed changes from an existing regulation must be indicated as follows:

2.4.3.1.1 Arial type shall indicate the text existing prior to the regulation being promulgated

2.4.3.1.2 Underlined text must be used to indicate new text.

2.4.3.1.3 Language which is ~~stricken~~ through shall indicate text being deleted.

2.4.3.2 If a new regulation is being proposed, all language must be underlined.

2.4.4 Final Regulations:

2.4.3.2 Final Regulations must be formatted as follows:

2.4.3.2.1 Arial type must be used indicate the text existing prior to the regulation being promulgated.

2.4.3.2.2 Underlined text must be used to indicate new text added at the time of the proposed action.

2.4.3.2.3 Language which is ~~stricken~~ through shall indicate text being deleted at the time of the proposed action.

2.4.3.2.4 **[Bracketed bold language]** must be used to indicate text added between when the regulation was proposed and the time the final order is issued.

2.4.3.2.5 ~~**[Bracketed bold stricken through]**~~ must be used to indicate language deleted between when the regulation was proposed and the time the final order is issued.

2.5 Footnotes.

2.5.1 Footnotes, if used, should be referenced at the end of the regulation. The use of footnotes should be kept to a minimum.

2.6 Appendices.

2.6.1 Avoid using appendices as part of a regulation. Material important enough to be set out should be made part of the regulation itself and numbered accordingly. Appendices are not considered to be part of the regulation proper and may not be published in the ***Delaware Register of Regulations***.

3.0 Structure Of Regulations

3.1 Definitions (See Figure 3.1)

3.1.1 It is recommended that definitions of terms be included in each regulation. Definitions provide clarification to terms used within a regulation and allow the regulation writer to control the meaning of a word. Define a term only when the meaning of a word is important and it is used more than once in the regulation. Regulatory information should not be included in the definition.

3.1.2 Definitions should be formatted as provided in this section.

- Place definitions at the beginning of the regulation as one of the first numbered sections.
- The first paragraph should read, "The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:"
- Arrange the words or specific terms in alphabetical order.
- Do not number individual definitions.
- Uppercase the first letter of the first word in each definition. All subsequent words in each definition should be lowercase, unless words are proper nouns. The word or term being defined should be placed within quotation marks and bold.
- Immediately after the defined word or term, insert the word "means"

Figure 3.1

1.0 Definitions.

1.1 The following words and terms, when used in this regulation, should have the following meaning unless the context clearly indicates otherwise:

"Adoptive parent" means a provider who gives parental care and establishes permanent family relationships for children in the providers home for purposes of adoption. Standards apply to adoptive parents until the final order of adoption is issued.

"Adult" means any individual 18 years of age or older.

"Agency" means the local welfare or social services agency.

3.2 Arrangement or organization.

3.2.1 Concise drafting of a regulation, as well as the general design and logical arrangement of its sections, subsections and subdivisions, better communicates the meaning of the regulation. The major objective in arranging text within a regulation is to make the document as clear and understandable as possible.

3.3 Sequence.

3.3.1 The sequence of elements of a regulation as provided in this section should be observed:

- Place general provisions before special provisions;
- Place more important provisions before less important provisions;
- Place frequently used provisions before less frequently used provisions; and
- Place permanent provisions before temporary provisions.

3.3.2 Gender.

3.3.2.1 Avoid using pronouns that indicate gender. Use the noun which the pronoun would replace. However, if pronoun gender must be indicated, use “his” instead of “his/her” and “he” instead of “he/she” or “(s)he.” The use of the masculine gender is addressed in 1 **Del.C.** §304 of the Delaware Code.

4.0 Citations

4.1 Citations to the Delaware Code.

4.1.1 When citing chapters, articles or sections of the Delaware Code, refer to the following relevant examples:

- Citing an entire chapter: 29 **Del.C.** Ch. 100 or 29 Delaware Code, Ch 100
- Citing a specific section: 29 Delaware Code, Section 10101 or 29 **Del.C.** §10101
- Citing multiple sections: 29 Delaware Code, Sections 3-5 or 29 **Del.C.** §§3-5
- Citing a subsection: 29 Delaware Code, Section 3(a) or 29 **Del.C.** §3(a)

4.2 Citations to the **Delaware Register of Regulations**.

4.2.1 The **Delaware Register of Regulations** is cited by volume, issue, page number and date. For example, to refer to Volume 6, Page 1112 of the **Delaware Register of Regulations** issued on May 1, 2003 write:

6 **DE Reg.** 1112 (5/1/03)

4.2.2 The Delaware Administrative Code is cited by title and regulation number: For example, to refer to Natural Resources and Environmental Control, Division of Air and Waste Management, Air Quality Management Section, Regulations for Requirements for Preconstruction Review use:

7 **DE Admin Code** 1125

4.3 Federal statutory and federal regulatory citations.

4.3.1 When citing federal statutes, the official name, together with a reference to the United States Code, should be used as follows:

The Atomic Energy Act of 1954 (42 USC §§2011-2284)

4.3.2 The Federal Register should be cited by volume and page number. The approved short form of citation is “FR.” Thus, 12 FR 1234 refers to text at page 1234 of Volume 12.

4.3.3 The Code of Federal Regulations should be cited by title and section numbers. “CFR” is the approved short form. Thus, 7 CFR 1.1 refers to text at 1.1 of Title 7.

5.0 Incorporation By Reference

5.1 Incorporation by reference is a device by which a document is made part of the regulation simply by referring to it. While the text of an incorporated document does not appear

in their regulation, the provisions of the incorporated document are as fully enforceable as any other regulation.

5.2 When incorporating by reference it is necessary to cite the specific publication including year and volume that is being incorporated into the regulation. The text incorporating a document should be included in the text of the regulation.

5.3 A copy of the incorporated document shall be made available to the Registrar for public inspection purposes.

5.4 Each regulation that proposes to incorporate a document is identified in the *Delaware Register of Regulations* by an Editor's Note.

6.0 Composition And Style Guidelines For Document Drafting

6.1 Application of guidelines.

6.1.1 The composition and style guidelines in this manual are intended to provide editorial assistance in drafting documents to be published in the ***Delaware Register of Regulations***.

6.1.2 Specific questions may arise which are not covered within this article, due to the general nature of these guidelines. These guidelines are primarily based on the following reference books:

A Manual of Style, University of Chicago Press (1982); and

Drafting Legislation and Rules in Plain English, by Robert J. Martineau, West Publishing Company (1991).

Each of these books provides extensive guidance in most areas of document drafting.

6.1.3 Matters of spelling, usage, and word division should be referred to *Webster's Ninth New Collegiate Dictionary*, Miriam-Webster, Inc., or *The American Heritage Dictionary of the English Language*, New College Edition

6.2 General guidelines.

6.2.1 In general, keep the language of the text as clear and simple as possible. When drafting, remember that documents should be written so that the general public can understand them. Avoid using language that only individuals with specialized knowledge can understand. Consistency of expression, logical arrangement, and adherence to accepted usage aid readability.

6.2.2 Strive for consistency of terminology, expression and arrangement. Avoid using the same word or term in more than one sense. Conversely, avoid using different words to denote the same idea. Apply the principles of consistency to phrases, sentences, paragraphs, arrangement and format. For example, in the text of a regulation, two or more subdivisions which are similar in substance should be parallel in form.

6.2.3 Tabulation is used to arrange the structure of subdivisions in a document. All items in the tabulated enumeration must belong to the same class. Each item listed must be parallel to the introductory language. The following tabulation is incorrect because subdivision is not parallel in substance or form to the introductory language:

EXAMPLE:

1.1 An applicant for licensure shall:

1.1.1 Complete the application for examination;

1.1.2 Submit in advance the examination fee; and

1.1.3 *Eligibility for licensure by reciprocity.*

(Language not parallel)

Subdivision 1.1.3 should read, “Be eligible for licensure by reciprocity.

6.2.4 Absolute conciseness does not ensure clarity but, in general, keeping a document simple and short avoids confusion and misunderstanding. In the case of regulatory drafting, divide a lengthy text into more than one regulation in order to avoid the complexities entailed in multiple sections and to make the text easier to read. Avoid long sentences where short ones will suffice.

6.2.5 Ordinarily, use the present tense of verbs. However, the future tense is appropriate when using the imperative “shall.” Section 6.3 provides additional information on the use of “shall”.

6.2.6 Generally, use the active rather than the passive voice:

EXAMPLE:

Use: The Chairman appoints members of the committee.

Avoid: Members of the committee are appointed by the chairman.

6.2.7 Generally, use the third person:

EXAMPLE:

Use: The applicant shall file the appropriate forms.

Avoid: You shall file the appropriate form.

6.2.8 If an idea can be accurately expressed either positively or negatively, express it positively. The negative form is appropriate where a provision expresses a prohibition. Negative words should not be used where provisions provide only advisory guidance.

6.3 Use of “shall,” “may” and “must.”

6.3.1 Use “shall” in the imperative sense to express a duty or obligation to act. The term “shall” is generally used in connection with statutory mandates. “May” is permissive and generally expresses a right, privilege or power. When an individual is authorized but not ordered to act, the term “may” is appropriate. If an obligation to act is intended, “shall” is used.

6.3.2 Use “may not” when a right, privilege or power is restricted. Using “shall not” negates the obligation but not the permission to act; therefore, “may not” is the stronger prohibition. Wherever possible, the words “shall” or “may” are used in place of other terms such as “is authorized to,” “is empowered to,” “is directed to,” “has the duty to,” “must,” and similar phrases. However, if certain action is intended to be a condition before accruing a right or privilege, the word “must” is used instead of “shall” or “may” (e.g., “In order to have your regulations published you must file them by the deadline.”)

6.4 Use of “any,” “each” and “every.”

6.4.1 Do not use “any,” “each,” “every,” “all,” or “some,” if “a,” “an,” or “the” can be used with the same result. If the subject of the sentence is plural, it is seldom necessary to use these adjectives. For example, it should be stated, “Qualified employees shall...,” rather than,

“Any qualified employee shall...” If the subject of the sentence is singular, the indefinite pronoun is used only when the article “a” or “the” is inadequate, as when the use of “a” would allow the unintended interpretation that the obligation is to be discharged by applying it to a single member of the class instead of to all of them. If it is necessary to use an indefinite pronoun, follow these rules:

6.4.1.1 If a right, privilege or power is conferred, use “any,” as in “Any qualified employee may...”

6.4.1.2 If an obligation to act is imposed, use “each,” as in “Each employee shall...”

6.5 Use of “such” and “said.”

6.5.1 Avoid the use of “such” and “said.” Instead, use “the,” “that” or a pronoun. In many instances “such” and “said” mean nothing at all and can be omitted without any other words being substituted.

6.6 Use of “and/or.”

6.6.1 The term “and/or” should never be used. In general the term “and” means to add something to what has already been said. “Or” means in the alternative. The word “and” is a conjunctive and the word “or” is a disjunctive. In most cases the word “or” is proper to convey the thought of “one, or the other, or any of them.” If emphasis is needed, the use of terms such as “any of the following,” “all of the following,” “either of the following,” “or both,” and similar modes of expression are sufficient.

6.7 Use of words both singular and plural.

6.7.1 Avoid modifying singular words to be both singular and plural (e.g., parent(s)). Instead, indicate one or the other, or both (e.g., parent or parents).

6.8 Commas.

6.8.1 Use commas to set off a nonrestrictive clause. A nonrestrictive clause gives added information about the word it modifies, but is not needed to complete the meaning of a sentence.

EXAMPLE: New rules concerning the licensing of teachers, which I have not read, have been adopted.

“Which I have not read” does not significantly affect the primary meaning, which is that rules concerning the licensing of teachers have been adopted, therefore, commas are used around this nonrestrictive clause.

6.8.2 Do not use commas to set off a restrictive clause. A restrictive clause cannot be omitted without altering the meaning of the main clause, therefore, it should not be set off by commas.

EXAMPLE: *The requirements which an applicant must meet for certification are listed in the regulation.*

Without the clause “which an applicant must meet for certification,” the meaning of the sentence would be significantly altered.

6.8.3 Use a comma in a compound sentence to separate independent clauses joined by one of the coordinate conjunctions “and,” “but,” “for,” “or,” “nor.”

EXAMPLE: *The board is responsible for collecting the revenue from all permits and fees, but the legislature sets the rates.*

6.8.4 The use of a comma without a coordinate conjunction between two independent clauses is known as a comma fault and should be avoided.

EXAMPLE: *The board collects the fees and issues permits, the legislature sets the rates.*

The sentence may be corrected by:
Using a coordinate conjunction after the comma.

The board collects the fees and issues permits, but the legislature sets the rates.

Using a semicolon between the two independent clauses.

The board collects the fees and issues permits; the legislature sets the rates.

Dividing the two independent clauses into two simple sentences.

The board collects the fees and issues permits. The legislature sets the rates.

6.8.5 Use commas to separate a series of three or more words, phrases or clauses.

EXAMPLE: *The board is responsible for collecting the revenue from all fees, permits, license certifications, and renewals.*

6.8.6 If the elements within the sentence contain internal commas or other punctuation, separate the elements with semicolons.

EXAMPLE: The board is responsible for collecting the revenue from fees for examinations; permits for shops, salons and schools; and license certifications.

6.9 Hyphens and compound words.

6.9.1 Many compounds are formed with the hyphen as a connector, but as these words become established the hyphen is often dropped in favor of the solid form.

6.9.2 Words that function as a compound adjective that are placed before the word they modify should be hyphenated.

EXAMPLES:

1. One weekend each month, Mr. and Mrs. Jones go on a 10-mile hike.

2. Our opponent resorted to low-level tactics.

However when these same word groups are placed after the nouns or pronouns they modify, they are not hyphenated.

EXAMPLES:

1. Mr. and Mrs. Jones hike 10 miles one weekend each month.
2. Our opponent's tactics were low level.

The hyphen is also used to avoid confusion in words like “re-form” (meaning to form again).

6.9.3 Hyphens should not be used in constructions like the following if the meaning is clear without them (e.g., “sales tax bill,” “foreign aid plan”). The hyphen is not needed in these forms “navy blue skirt” or “dark green paint.”

6.9.4 Compound words are listed separately within the dictionary. To avoid confusion, and sometimes absurdities, compound nouns that are usually solid words should be separated when the first part of the compound is modified by an adjective: “businessman, small-business man”; “sailmaker,” “racing-sail maker.”

6.9.5 Do not use the hyphen to connect an adverb ending in “ly” with a participle in such phrases as “newly married couple,” or “elegantly furnished house.” Adjectives ending in “ly” are another matter; hyphens should, for example, be used in “a gravely-voiced, grizzly-maned statesman of the old school.”

6.9.6 Hyphens are not used in titles such as “commander in chief,” “director general,” “editor in chief,” or “secretary general.” Do use the hyphen in titles like “secretary-treasurer” or “law-enforcement officer.”

6.9.7 In a series of hyphenated phrases, use the complete phrase in each instance.

EXAMPLES:

AVOID: On successive days there were three-, five- and nine-inch snowfalls.

USE: On successive days there were three-inch, five-inch, and nine-inch snowfalls.

6.10 Quotation marks.

6.10.1 Typographical usage dictates that the comma and the period always be placed inside the closing quotation mark, even though they sometimes logically do not seem to belong there.

EXAMPLE: One package was marked “fragile,” and the other package was marked “do not open until Christmas.”

6.10.2 Semicolons and colons belong outside the closing quotation mark unless they are a part of the quoted material.

EXAMPLE: One package was marked “fragile”; the other package was marked “do not open until Christmas.”

6.11 Capitalization.

6.11.1 Capitalize civil, military, religious and professional titles when they immediately precede a personal name, as part of the name.

EXAMPLES:

1. Governor Minner;
2. Secretary Powell; and
3. Chairman Jones

6.11.2 Capitalize full names of legislative, deliberative, administrative and judicial bodies, departments, bureaus, and offices. Lowercase common noun substitutes or incomplete designations, except abbreviations.

EXAMPLES:

Uppercase

General Assembly of Delaware
Department of Transportation

Lowercase

state legislature
the department

6.11.3 Do not capitalize the following words unless they are part of a proper name:

EXAMPLES:

administration;
board;
commission;
executive branch, legislative branch, or judicial branch;
federal;
government; or
state.

6.11.4 Capitalize common nouns and adjectives that form an essential part of a place.

EXAMPLES:

Sussex County
City of Dover
Northern Delaware

- 6.11.5 Capitalize “State of Delaware” and “State.”
 6.11.6 Capitalize names of buildings and monuments.

EXAMPLES:

Washington Monument
 Legislative Hall
 Townsend Building

- 6.11.7 Capitalize only the official names of documents.

EXAMPLES:
Uppercase
Lowercase

Constitution of Delaware

state constitution

- 6.11.8 Capitalize the names of an specific act (e.g., Administrative Procedures Act).

- 6.11.9 Capitalize the word “Act” when it has previously been referred to or defined, and subsequent references are to the specific act.

- 6.11.10 Capitalize a word describing a part of a document only if it is followed by a specific number or letter designation.

EXAMPLES:
Uppercase
Lowercase

Chapter 4
 Part IV

this chapter
 this part

- 6.11.11 Lowercase “page” and “line” (e.g., page 10, line 22).

- 6.12 Writing numbers.

- 6.12.1 Arabic numerals are used for numbers greater than nine (e.g., 10, 11, 12...), except for proper names such as “Chapter 1,” not “Chapter One.” Numbers from one to nine are spelled out. Zero is written “0.”

- 6.13 Percentages.

- 6.13.1 Numerals are used followed by a percentage symbol (%) for all percentages. All percentages consist of at least two digits.

- 6.13.2 Percentages greater than or equal to 10 are written in the following manner:

10%;
 12%;
 3.4%; or
 15.63%.

6.13.3 Percentages less than 10 are written in the following manner:
9.6%;
8.64%; or
8.0%.

6.13.4 Percentages less than one are written in the following manner:
0.5%;
0.002%; or
0.621%.

6.14 Monetary figures.

6.14.1 Numerals are preceded by a dollar symbol (\$) for most monetary listings.

6.14.2 Amounts less than \$1.00 are written with a dollar symbol followed by a space, a decimal, and the cent value, to conform with the following:

\$.04;
\$.50; or
\$.99.

6.14.3 Amounts greater than \$.99 but less than \$10 are written with a dollar symbol followed by the dollar value followed by a decimal point followed by the cent value, even if the cent value is “.00,” to conform with the following:

\$2.00;
\$3.40; or
\$9.99.

6.14.4 Amounts greater than \$9.99 are written with a dollar symbol followed by the dollar value followed by a decimal point followed by the cent value, unless the cent value is “.00,” in which case no decimal point or cent value will be included, to conform with the following:

\$10;
\$10.06; or
\$100.

6.14.5 Monetary listings incorporating seven or more digits are written to conform to the following:

EXAMPLES:

USE: \$1 million AVOID: \$1,000,000

6.15 Dates.

6.15.1 In the text of documents, spell out the month of the year. Do not use the number of the month to signify the month. Do not abbreviate the name of the month.

EXAMPLES:

USE: December 2, 1994 AVOID: 12/2/94
Dec. 1, 1994

6.16 Temperature.

6.16.1 Forms of temperatures (i.e., Fahrenheit, Celsius and Kelvin) are written using numerals only. The temperature value is followed by a degree symbol (°) followed by a “F”, “C” or “K” as the case may be.

EXAMPLES:

75° F, 30° C, -4° F, 0° K

6.17 Fractions.

6.17.1 Fractions are written in numeric form (e.g., $\frac{1}{2}$, $\frac{3}{4}$, $\frac{1}{4}$). Mixed numerals (whole numbers and fractions) are also written in their numeric form (e.g., $1\frac{1}{2}$, $2\frac{3}{4}$, $13\frac{1}{4}$).

6.18 Units of measure.

6.18.1 Generally, abbreviations are not used in the *Delaware Register of Regulations*; however, there are a few exceptions when referring to units of measure. The following table serves as a guide to writing units of measure:

| <u>USE</u> | <u>AVOID</u> | <u>USE</u> | <u>AVOID</u> |
|-------------|----------------------|------------|--------------|
| inches | in. | °F | Fahrenheit |
| feet | ft. | °C | Celsius |
| square feet | sq. ft. | °K | Kelvin |
| pounds | lbs. | centimeter | cm |
| barrel | bbl. | millimeter | mm |
| by | X | Watts | W. |
| Btu | British thermal unit | No. | # |

6.19 Time.

6.19.1 Time should be written in Arabic numerals, with the exception of 12 p.m. which is written as “noon.”

EXAMPLES:

| | |
|--------------|-------------------|
| USE: 10 a.m. | AVOID: 10:00 a.m. |
| 10:30 a.m. | |
| noon | 12 p.m. |

6.20 Quotations.

6.20.1 Quotations should be used as follows:

6.20.1.1 Words within text which require emphasis are set off in quotation marks.

6.20.1.2 Brief quotes are enclosed in quotation marks; lengthy quotes are set off in the text but are not enclosed in quotation marks.

6.20.1.3 Quotation marks are used to enclose certain material following the terms “marked,” “designated,” “classified,” “named,” “endorsed” or “signed.”

EXAMPLES:

1. Such sheep shall be accompanied by a waybill or owner-shipper certificate marked "for immediate slaughter."
2. The term "meat" and the names of particular kinds of meat, such as beef, veal, mutton.

6.20.1.4 Quotation marks are used to enclose titles of articles, editorials, essays, papers, reports, subjects and themes.

EXAMPLE: The procedures are described in "Methods of Analytical Chemists." In evaluating replicate data, table 19, page 935, "Journal of the Association of Official Analytical Chemists" (Volume 49, Number 5, October 1960), shall be followed.

6.21 Commonly used words with their plain language translations. The use of the words in the right column is preferred.

AVOID

and/or
appear
ascertain
at this point in time
commence
complete
comply
constitute
disclose
elect
endeavor
ensue
execute
experience
facilitate
presently
prior to
prohibit
purchaser
pursuant to
subsequent to
such, same, said
terminate
or the duration of
forthwith

USE

"A" or "B," or both
seem
find out
now
begin
fill out
follow
be
show
choose
try
follow
sign
have, feel
make easy
now, soon
before, earlier
forbid
buyer
in response to
after, later
the, this, that, them, those, it
end
during
immediately

| | |
|-----------------|-----------------------|
| forward | send |
| hereby | by this |
| herein | to this |
| hereinabove* | |
| hereafter* | |
| hereinbelow* | |
| hereof | of this |
| hereto | to this |
| thereat, there, | at that level |
| thereby | by that |
| therein | in that |
| thereof | of that |
| thereto | to that |
| therewith | with that |
| thus | so, that way |
| transpire | happen |
| upon | on |
| vehicle | car, truck, way |
| vendor | seller |
| whereas | avoid using this term |
| wherein | where, in which |

* The use of the words “hereinabove,” “hereinafter,” and “hereinbelow” should not be used when referring to the position of a section or other provision. If a reference is necessary, specify the part, article, section, subsection or subdivision of the regulation by number.